

1 [SEE SIGNATURE PAGE FOR ATTORNEY NAMES]

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5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA
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8 BOSTON SCIENTIFIC CORP. and
9 TARGET THERAPEUTICS, INC.,

10 Plaintiffs,

11 vs.

12 CORDIS CORPORATION,

13 Defendants.
14

Case No.: C02-1474-JW

**STIPULATION REGARDING
SUPPLEMENTAL BRIEFING
REGARDING SUMMARY JUDGMENT
ISSUES RELATED TO THE GUGLIELMI
AND [PROPOSED] ORDER**

15 Pursuant to the Court's instruction, Boston Scientific Corp. and Target Therapeutics, Inc.
16 (collectively "Boston Scientific") and Defendant Cordis Corporation hereby submit a proposed
17 schedule for filing supplemental briefs to further address issues raised during the October 25, 2006
18 hearing on the motions for summary judgment concerning the '385 and '498 Guglielmi patents.
19 The parties do dispute the scope of additional briefing requested by the Court. As set forth in
20 Boston Scientific's opening brief filed on January 12, 2007, it is Boston Scientific's understanding
21 that the Court requested additional briefing only on "infectious unenforceability," and whether the
22 fact that Target charged the University of California, Los Angeles a "nominal fee " to recoup
23 manufacturing and research and development costs concerning the GDC device constitutes an
24 invalidating "commercial sale" under 35 U.S.C. § 102(b). Cordis disagrees with Boston
25 Scientific's position and believes that the Court requested briefing on additional issues raised
26 concerning Cordis's contentions of (1) Inequitable Conduct; and (2) Public Use or Sale under 35
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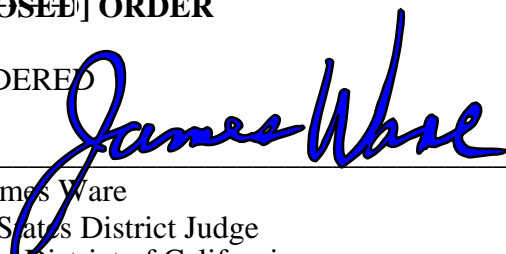
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[PROPOSED] ORDER

Pursuant to stipulation, IT IS SO ORDERED

Dated: 1/30/2007



Hon. James Ware
United States District Judge
Northern District of California